

REGULAR CITY COUNCIL MEETING
AUGUST 18, 1986

PRESENT

Ruth Hansen
Craig Greathouse
Don Dafoe
David Church
Neil Dutson
Gayle Bunker

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

ABSENT

None

OTHERS PRESENT

Jim Allan
Dorothy Jeffery
Warren Peterson
Richard Waddingham
Doyle Bender
Susan Callister
Neil Forster
Dennis Leavitt
John Quick
Norma Farnsworth
Roger Young
Robert Pendray
Jim Pendray
Jessie Peterson
Sherm Peterson
Darrell Lester

City Manager
City Recorder
City Attorney
Deputy City Attorney
City Treasurer
Assistant Recorder
Public Works Director
Public Works Department
City Engineer
Delta City Librarian
Chief of Police
Plaza Lanes
Plaza Lanes
Plaza Lanes
Plaza Lanes
KNAK Radio Station

Mayor Ruth Hansen called the meeting to order at 7:00 p.m. Dorothy Jeffery, Delta City Recorder, acted as secretary. Mayor Hansen stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, the local radio station, KNAK, and to each member of the City Council by personal delivery two days prior to the meeting.

MINUTES

The proposed minutes of a regular City Council meeting held August 4, 1986, were presented for consideration and approval. The Council reviewed the minutes briefly, after which Council

Member David Church MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Neil Dutson. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable; a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Don Dafoe MOVED that the accounts payable be approved for payment as listed in the amount of \$45,783.83. Council Member Gayle Bunker SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

GAYLE BUNKER: AMENDMENTS TO BEER LICENSE ORDINANCE

Mayor Hansen asked Council Member Gayle Bunker to present a proposed ordinance amending the Delta City Beer License ordinance.

Council Member Gayle Bunker presented a proposed ordinance entitled:

ORDINANCE NO. 86-105

AN ORDINANCE AMENDING SECTIONS 9-432 AND 13-314 OF THE REVISED ORDINANCES OF DELTA CITY BY REPEALING CERTAIN PROVISIONS AND ENACTING NEW PROVISIONS RELATING TO THE PRESENCE OF MINORS WHERE ALCOHOLIC BEVERAGES ARE SOLD OR CONSUMED AND PROVIDING STANDARDS FOR OPERATION OF BUSINESSES LICENSED FOR THESE PURPOSES.

The Council reviewed the proposed ordinance in detail. Attorney Warren Peterson responded to questions from the Council regarding the proposed ordinance.

Following discussion, Council Member Craig Greathouse MOVED to adopt Ordinance No. 86-105. The motion was SECONDED by Council Member Gayle Bunker. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a roll call vote. The voting was as follows:

Council Member Gayle Bunker	Yes
Council Member David Church	Yes
Council Member Don Dafoe	Yes
Council Member Neil Dutson	Yes
Council Member Craig Greathouse	Yes

Mayor Hansen then signed the ordinance and it was attested by Delta City Recorder Dorothy Jeffery.

NORMA FARNSWORTH: PURCHASE LIBRARY SHELVING - DEPARTMENTAL UPDATE

Mayor Hansen asked Delta City Librarian Norma Farnsworth to present her request to the Council.

Mrs. Farnsworth requested Council's approval to purchase shelving for the Library. She said that there is money in the Library budget to cover the cost of the shelving.

Council Member Craig Greathouse MOVED to approve the request to purchase shelving for the Library. Council Member Don Dafoe SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

Mrs. Farnsworth then presented an overview of the productivity and accomplishments of the Library over the past year. She also informed the Council of future events that are scheduled for the Library.

PUBLIC WORKS DIRECTOR NEIL FORSTER: BID SPECIFICATIONS FOR PUBLIC WORK'S 10-WHEELER PUP TRAILER

Mayor Hansen asked Public Works Director Neil Forster to review with the Council bid specifications for a "pup" trailer for the 10 wheel truck used in the Public Works Department.

Public Works Director Neil Forster presented a list of bid specifications for a 10-wheeler pup trailer. The Council reviewed the list in detail. Mr. Forster said that \$26,000 has been budgeted for the purchase of a trailer. The estimated cost is \$20,000.

Following a brief discussion, Council Member Don Dafoe MOVED to authorize Public Works Director Neil Forster to advertise for bid the specifications for a 10-wheeler pup trailer. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR NEIL FORSTER; REPAIR OF LIFT STATION

Mayor Hansen asked Public Works Director Neil Forster to review with the Council the repair of Lift Station B.

Mr. Forster said that a pump at Lift Station B failed to function and was replaced with a spare pump. He said that the faulty pump could be repaired for \$4,875 and a new pump could be bought for \$4,500. Mr. Forster said that a new pump has been ordered and requested Council's approval to purchase a new pump to be used as a backup pump.

Following a brief discussion, Council Member Gayle Bunker MOVED to approve the purchase of a 20 hp submersible pump to be used as a backup pump for Lift Station B. Council Member Craig Greathouse SECONDED the motion. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR NEIL FORSTER: SEWER RATE INCREASE -
DEPARTMENT UPDATE

Mayor Hansen asked Public Works Director Neil Forster to discuss with the Council a proposed resolution regarding a sewer rate increase.

RESOLUTION NO. 86-158

A RESOLUTION REVISING THE MONTHLY SERVICE CHARGES FOR
USE OF THE DELTA CITY SEWER SYSTEM.

The Council reviewed the proposed resolution in detail and Mr. Forster said that the sewer rate increase would be \$.50 for residential users and 7.7% for all other users.

Following a brief discussion, Council Member David Church MOVED to adopt Resolution No. 86-158. The motion was SECONDED by Council Member Neil Dutson. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a roll call vote. The voting was as follows:

Council Member Gayle Bunker	Yes
Council Member David Church	Yes
Council Member Don Dafoe	Yes
Council Member Neil Dutson	Yes
Council Member Craig Greathouse	Yes

Mayor Hansen then signed the resolution and it was attested by Delta City Recorder Dorothy Jeffery.

Mr. Forster then reviewed with the Council the following projects of the Public Works Department:

1. The Open Drain Enclosure Project
2. The Street Reconstruction Project - presently working on Third South

3. Sugar Factory Row Water Line replacement - in place and useable
4. Losee Lumber Water Line Extension - Losee's have requested a 800 feet expansion of a 10-inch water line. Losee's offered to install the water line if Delta City will furnish the pipe.

Council Member Craig Greathouse asked about the status of the street repair for 200 North at 200 East and 100 South. City Engineer John Quick said that a letter has been sent to Valley Asphalt requesting that they replace approximately 70 feet of the water way, curb and gutter. Mr. Quick assured the Council that Valley Asphalt will correct the problem.

MAYOR HANSEN: INTERLOCAL ACT AGREEMENT - 911 EMERGENCY CALLING SYSTEM

Mayor Hansen presented the following letter received from Millard County Attorney Steven R. Jackson:

August 8, 1986

Mayor Ruth Hansen
Delta City Mayor
P. O. Box 397
Delta, UT 84624

Dear Mayor Hansen:

Millard County has recently made a decision to attempt to implement a county-wide 911 emergency dialing service for the citizens of Millard County. As I am sure you are aware, the 911 service will speed up the response time for any emergency within the area served by the 911 service.

The Utah Legislature recently adopted Legislation that allowed a public agency to place a \$.50 per month charge on all telephone lines within the service area to provide funding for the 911 services. This is the funding that Millard County desires to use. It is important to point out a few things in regards to this funding mechanism:

1. No funding would be payable by the City to the County for the 911 service.
2. The \$.50 per month charge would be collected by the telephone company and remitted to Millard County. The funds must be placed in a special emergency telephone service fund and can be used only to provide the costs of purchasing, operating and maintaining the necessary telephone and dispatch

equipment for the 911 system. Once the system was paid for, I am quite certain the \$.50 per month charge would be reduced sufficient to simply maintain the system.

I have taken the liberty of preparing a proposed Resolution and proposed Interlocal Cooperation Act Agreement whereby Delta City agrees that Millard County may provide this 911 emergency telephone service. I hereby request that your City Council review this matter and, if appropriate, that they execute the enclosed Interlocal Cooperation Act Agreement and return to Millard County for signature.

If you have any questions on this service, please feel free to contact either myself, any of the County Commissioners, Robyn Pearson, or Sheldon Cannon of the telephone company.

Very truly yours,
Steven R. Jackson

Following review of the letter and Interlocal Cooperation Act Agreement, Council Member Neil Dutson MOVED to table this item for further review and study. The motion was SECONDED by Council Member David Church. Mayor Hansen asked if there were any further comments or questions regarding the motion. There being none, she called for a vote. The motion passed unanimously.

Fire Chief Bryce Ashby recommended the 911 Calling System and said that any phone number calling the dispatch on 911 would be automatically recorded so the dispatch would be able to determine where a call originated.

MAYOR HANSEN: CLASSIC AUTO SHOW

Mayor Hansen said that Mr. Dee Church and Mr. Wally Church have requested the use of the City parking lot to hold a Class Auto Show September 20 & 21, 1986. The possibility of using the Millard School District parking lot was also discussed.

The Council was in favor of an auto show and allowing one to be held in the City parking lot.

CITY MANAGER JIM ALLAN: MILLARD COUNTY FIRE DISTRICT CONTRACT

Mayor Hansen said that the Millard County Fire District interlocal agreement between Delta City and Millard County was for review and information only and asked City Manager Jim Allan to make his presentation.

Mr. Allan reviewed with the Council background information regarding the Millard County Fire District and said that prior to August, 1985, Millard County and Delta City discussed the benefits of establishing a fire district. On August 14, 1985, the Council agreed to enter into an agreement with Millard County to enter into the fire district if certain conditions and stipulations were met.

Mr. Allan said that some of the conditions contained in Resolution No. 85-134 were that Delta City would retain ownership of the fire station, fire vehicles and fire equipment. Delta City would be entitled to staff the fire department and the fire department would be under the supervision of the Mayor. The City would also continue to provide fire service into the unincorporated areas.

Mr. Allan said that there is a problem with that agreement in that Delta City spelled out funding the District under the so-called "Iowa Formula" and Millard County did not agree to Delta City's interpretation and application of the formula. Mr. Allan referred to earlier statements by Commissioner Warren Jensen that the district would be formed on 10 December, 1985, and that the fire district board members would establish the appropriate formula, rules and regulations.

Mr. Allan said that between 14 August and 9 September 1985, Delta City negotiated with Millard County regarding the language of the proposed agreement. On 9 September 1985 Delta City adopted Resolution No. 85-135 with modifications which included acceptable language to both parties.

He said Resolution No. 84-135 established the \$12,500 fee that Delta City receives for fire services from Millard County and Delta City is presently receiving that money. Additional language was added to that agreement regarding fire area jurisdiction; however, the actual Iowa Formula had been left out of paragraph 6 so a reference to it was hand written in and accepted by the Millard County Commission and Council at that time, he said. A redraft of the agreement prepared by the City Attorney's office to include the handwritten material has never been signed.

The Iowa Formula says that money that the Delta City Fire Department is to receive will be based on three factors which are:

1. Population
2. Assessed Valuation
3. Number of fire runs made by the fire department

Mr. Allan said that it is his understanding that the fire board has approved the Iowa Formula concept for funding for operation and maintenance of the Fire District and Delta City will receive money based on that plan. At the end of each budget year, he

said, any money left over would revert back to the district. The money would not be retained by the fire department.

Mr. Allan said that under the Fire Board concept, however, the Iowa Formula is not being applied for capital funding. That is, that the district would establish a priority within the district as to what capital items had to be purchased and then would establish a funding mechanism to acquire equipment to be owned by the District and placed for use by each fire department as determined by the Fire Board.

Mr. Allan asked, "What was the intent of the Council one year ago, are we going the right direction, should any guidance or any new direction be given to where we are presently at?"

Council Member Craig Greathouse, member of the Fire Board, said that the Iowa Formula is being applied to operations and maintenance expenses and Delta City will benefit greatly over what they are presently doing. He said the District will own all new equipment, but that any entity withdrawing from the District will be able to do so with the same equipment they brought in to the District.

Mr. Greathouse said that the Fire Board can see a need for property insurance, casualty insurance on equipment, and liability insurance for equipment and fire fighters while they are on the job. Mr. Greathouse said that there are advantages for Delta City and other municipalities to be insured under the fire board. He also said the fire board incorporated all the expenses and the O & M will be delegated out each year based on the last year's performance. Under the Board's latest decision, any surplus funds will be retained within the department after each year to be put aside for capital improvements for that department and do not revert back to the fire district. District capital funds are going to be set aside in a depreciation fund within the district for upgrading or improving equipment as monies are set aside.

Councilman Greathouse said that the first by-law the fire board established is to allow the cities who are a member of the district to withdraw from the fire district the same way they went in. If they came in with three pieces of equipment, they will go out with three pieces of equipment of worth that the district can afford at that time. The Council and City Attorney Peterson discussed legal conditions under which the City would be able to withdraw from the District.

Mr. Greathouse said there is a schedule being set up on equipment replacement needs for the district. The capital will be set aside as a depreciation fund over and above operation and maintenance. Any capital expenditures for small improvements within the fire house can be set aside.

The Council discussed at length the September 9, 1985, agreement and the information provided by Mr. Greathouse and Mr. Allan. There was no Council action taken on this item.

OTHER BUSINESS

City Recorder Dorothy Jeffery asked for the names of those who would be attending Utah League of Cities and Towns Convention. Council Members Don Dafoe and Craig Greathouse are planning to attend.

Mayor Ruth Hansen asked if there were any further comments or questions or items to be discussed. There being none, Council Member David Church MOVED to adjourn the meeting. The motion was SECONDED by Council Member Neil Dutson. Mayor Hansen declared the meeting adjourned at 9:15 p.m.



RUTH HANSEN, Mayor



DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: 9-08-86